

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 28TH MAY 2007 / 7TH JYASHTA 1929

CRP.No. 418 of 2007()

**AGAINST THE ORDER DATED 04/12/2006 IN EP 1954/2004 IN
OS.1470/2003 of II ADDL.SUB COURT,THRISSUR**
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REVN. PETITIONER: RESPONDENT/JUDGMENT DEBTOR:

**K.O.JOHNY, S/O OUSEPH,
KOTTAKKAL HOUSE, MAR THIMOTHEUS NAGAR,
NELLIKKUNNU DESOM, THRISSUR.**

BY ADV. SRI.DILIP J. AKKARA

RESPONDENTS: PETITIONER/PLAINTIFF:

**GODWIN CHITTIES & HIRE PURCHASE (P) LTD
H.S.26/1038, RICE BAZAR, THRISSUR,
REP. BY CHAIRMAN, T.L.GEORGE,
S/O.THANTHRATHIL LONAPPAN, S.N.PARK, ARANATTUKKARA
VILLAGE, THRISSUR.**

BY

**THIS CIVIL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 28/05/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

M.N. KRISHNAN, J.
= = = = =
C.R.P. NO. 418 OF 2007
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Dated this the 28th day of May, 2007.

ORDER

This revision is preferred against the order of the II Addl. Munsiff, Thirssur in E.P.1954/04. The suit was one for realisation of the amount . The trial court found from the evidence of PW1 that the judgment debtor has got sufficient means to pay the amount and he has refused to pay the amount and therefore ordered arrest. Now, the learned counsel for the revision petitioner contends that he has got a temporary role and he had intention to wipe off the liability. Considering the sincere representation made by the learned counsel, I am inclined to grant some time to the judgment debtor namely the revision petitioner to pay off the debt. Therefore, the CRP is disposed of as follows:

The revision petitioner shall pay an amount of Rs.10,000/- on or before 29.06.2007 and he shall continue to pay the balance amount in 4 equal monthly instalments commencing from 29.7.2007. if the judgment debtor fails to pay the amount,

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the benefit given to him will be forfeited and the decree holder will be entitled to proceed to request the Court to issue arrest warrant for detention in civil prison for the realisation of the decree debt.

M.N. KRISHNAN, JUDGE.

ul/-